

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
COMMONWEALTH EDISON COMPANY,)
) No. 11-0721
)
Tariffs and charges submitted)
Pursuant to Section 16-108.5 of)
The Public Utilities Act.)

Chicago, Illinois
March 6, 2012

Met pursuant to notice at 10:30 a.m.

BEFORE:

MS. CLAUDIA SAINOT and MR. ETHAN KIMREL,
Administrative Law Judges.

APPEARANCES :

EXELON BUSINESS SERVICES, by
MR. RICHARD BERNET
10 South Dearborn Street, Suite 4900
Chicago, Illinois 60603

-and-

ROONEY RIPPPIE & RATNASWAMY, LLP, by
MR. GLENN RIPPPIE (telephonically) and
MR. CARMEN L. FOSCO
350 West Hubbard Street, Suite 430
Chicago, Illinois 60654

Appearing on behalf of Commonwealth Edison
Company;

MR. JOHN C. FEELEY, MR. JOHN SAGONE,
MS. JESSICA CARDONI and MEGAN C. McNEILL
160 North LaSalle Street, Suite C-800
Chicago, Illinois 60601

Appearing on behalf of Staff;

1 APPEARANCES: (CONT'D)

2 OFFICE OF THE ATTORNEY GENERAL, by
3 MS. KAREN LUSSON,
4 MS. SUSAN SATTER and
5 MS. CATHY YU
6 100 West Randolph Street, 11th Floor
7 Chicago, Illinois 60601
8 Appearing on behalf of the People of
9 the State of Illinois;

10 HINSHAW & CULBERTSON, LLP, by
11 MR. EDWARD R. GOWER
12 400 South Ninth Street, Suite 200
13 Springfield, Illinois 62701
14 Appearing on behalf of Metra;

15 BALOUGH LAW OFFICES, LLC, by
16 MR. RICHARD C. BALOUGH and
17 MS. CHERYL DANCEY BALOUGH
18 One North LaSalle Street, Suite 1910
19 Chicago, Illinois 60602
20 Appearing on behalf of the CTA;

21 MS. CHRISTIE HICKS
22 309 West Washington Street, Suite 800
Chicago, Illinois 60606
Appearing on behalf of CUB;

MS. SUSAN CONDON
30 North LaSalle Street, Suite 1400
Chicago, Illinois 60602
Appearing on behalf of the City of Chicago;

LUEDERS, ROBERTSON & KONZEN, by
MR. ERIC ROBERTSON
P.O. Box 735
1939 Delmar Avenue
Granite City, Illinois 62040
Appearing on behalf of the Illinois
Industrial Energy Consumers
(Telephonically);

1 APPEARANCES: (CONT'D)

2 MR. ALAN JENKINS
2265 Roswell Road
3 Marietta, Georgia 30062
Appearing on behalf of the Commercial Group
4 (Telephonically);

5 SCHUCHAT, COOK & WERNER, by
MS. ROCHELLE G. SKOLNICK
6 1221 Locust Street, 2nd Floor
St. Louis, Missouri 63103
7 Appearing on behalf of the International
Brotherhood of Electrical Workers Local 15
8 (Telephonically);

9 MR. JOHN B. COFFMAN
871 Tuxedo Boulevard
10 St. Louis, Missouri 63119
Appearing on behalf of AARP
11 (Telephonically).

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21 SULLIVAN REPORTING COMPANY, by
22 Tracy L. Overocker, CSR

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
None.					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
None	so marked.	

1 JUDGE SAINSOT: By the authority vested in me
2 by the Illinois Commerce Commission, I now call
3 Docket No. 11-0721. It is the matter of the
4 Commonwealth Edison Company and it concerns tariffs
5 and charges submitted pursuant to Section 16-108.5 of
6 the Public Utilities Act.

7 Will the parties identify themselves
8 for the record, please.

9 MR. BERNET: On behalf of behalf of
10 Commonwealth Edison Company, Richard Bernet, 10 South
11 Dearborn, Suite 4900, Chicago 60603, (312) 394-3623.

12 MR. FOSCO: Also appearing on behalf of
13 Commonwealth Edison Company, Glenn Rippie and Carmen
14 Fosco, Rooney, Rippie & Ratnaswamy, 350 West Hubbard
15 Street, Suite 430, Chicago, Illinois 60654.
16 Telephone is (312) 447-2800.

17 MS. CARDONI: Appearing on behalf of Staff
18 witnesses for the Illinois Commerce Commission,
19 Jessica Cardoni, John Feeley, Megan McNeill and John
20 Sagone, 160 North LaSalle, Suite C-800, Chicago,
21 Illinois 60601.

22 MS. SATTER: Appearing on behalf the people of

1 the State of Illinois, Susan L. Satter, Karen L.
2 Lusson and Cathy Yu, 100 West Randolph Street,
3 Chicago, Illinois 60601.

4 MR. GOWER: Appearing on behalf of Metra, I'm
5 Ed Gower. My address -- Hinshaw & Culbertson,
6 400 South Ninth Street, Suite 200, Springfield,
7 Illinois 62701. My telephone number is (217)
8 467-4916.

9 MR. BALOUGH: Appearing on behalf of the
10 Chicago Transit Authority, Richard C. Balough, Cheryl
11 Dancey Balough, Balough Law Offices, LLC, One North
12 LaSalle Street, Suite 1910, Chicago, Illinois 60602
13 and the phone number is (312) 499-0000.

14 MS. HICKS: On behalf of the Citizens Utility
15 Board, Christie Hicks, 309 West Washington, Suite
16 800, Chicago, Illinois 60606.

17 MS. CONDON: Appearing for the City of Chicago,
18 Susan Condon, 30 North LaSalle Street, Chicago,
19 Illinois 60602, (312) 744-0672.

20 JUDGE SAINSOT: Anybody else? Anybody by
21 phone?

22 MR. ROBERTSON: Eric Robertson, Lueders,

1 Robertson & Konzen, P.O. Box 735, 1939 Delmar,
2 Granite City, Illinois on behalf of the Illinois
3 Industrial Energy Consumers.

4 MR. JENKINS: Alan Jenkins for the Commercial
5 Group, 2265 Roswell Road, Marietta Georgia 30062.

6 MS. SKOLNICK: On behalf of the International
7 Brotherhood of Electrical Workers Local 15, Rochelle
8 Skolnick, Schuchat, Cook & Werner, 1221 Locust
9 Street, 2nd Floor, St. Louis, Missouri 63103,
10 (314) 621-2626.

11 MR. COFFMAN: Appearing on behalf of AARP, John
12 B. Coffman, 871 Tuxedo Boulevard, St. Louis Missouri,
13 63119.

14 JUDGE SAINSOT: We better check to see how
15 that's all going to work tomorrow because, you know,
16 there's a Commission meeting tomorrow and, for the
17 record, I have a few things up on the Commission
18 meeting, so it's possible that I will be called out
19 for a little bit. We'll check on that. That's good,
20 I forgot about that, the Commission meeting, but we
21 may not have Internet tomorrow morning because I
22 don't think -- Judge Kimbrel just brought this out, I

1 don't know if they can do two at once.

2 JUDGE KIMBREL: I don't know if you want to
3 move, start here in the morning and then go to the
4 main room.

5 JUDGE SAINSOT: We may have to move, so don't
6 get too comfortable if we're here.

7 Could somebody go over the post trial
8 schedule.

9 MR. BERNET: I can do that. As it currently
10 stands, the hearings are scheduled to end on
11 March 13th, then simultaneous initial briefs are due
12 on March 27th; simultaneous reply briefs are due on
13 April 10th; statement of position draft orders are
14 due April 11th; a proposed order is scheduled for
15 May 1; simultaneous briefs on exceptions, May 9th;
16 and simultaneous reply briefs on exceptions have been
17 waived and the last day for the Commission order is
18 May 31st.

19 JUDGE SAINSOT: Okay. Is there anything else
20 we should discuss?

21 (No response.)

22 And again, we'll go over with the IT

1 people and see what we can do. We probably will not
2 be --

3 MR. BERNET: Did you want to put the schedule
4 for the motions on the record?

5 JUDGE SAINSOT: Yeah, that's a good idea.

6 Okay. Responses to the three motions
7 to dismiss Charles Box's testimony will be filed and
8 served by Wednesday, what is that, March 7th at
9 10:00 a.m.; replies will be filed and served by
10 Thursday, March 8th at 10:00 a.m. and then
11 Judge Kimbrel and I will issue our decision on that
12 same day probably over lunch.

13 MR. BERNET: Your Honor, one other thing, like
14 in the last case, ComEd is working with the court
15 reporter to have daily transcripts made available,
16 which we'll make available to the parties, that deal
17 just hasn't worked out yet, but we just wanted to let
18 you know.

19 JUDGE SAINSOT: Okay. Good. Thanks. Anything
20 else.

21 JUDGE KIMBREL: And if it wasn't clear, the
22 draft orders of position statements should follow the

1 same outline as in the briefs.

2 JUDGE SAINSOT: Right.

3 MR. BERNET: And we'll do our best to come to
4 an agreement on what that outline will be.

5 JUDGE SAINSOT: And, honestly, if we can't tell
6 where you're issue belongs, this is not good. I
7 mean, it shows that we don't understand maybe what
8 you've said clear- -- or it hasn't -- at least it
9 hasn't been stated clearly and for one thing and for
10 another thing, we shouldn't be waisting time
11 pigeonholing something that should be obvious, so
12 please work on that. It's an ALJ bugaboo.

13 Anything else?

14 (No response.)

15 And when do you think we'll have a
16 draft outline just to plug in, Mr. Rippie?

17 MR. RIPPIE: I apologize, I'm talking to the
18 mute button. We can certainly circulate a proposal
19 during the hearing. I'm not sure folks will, in all
20 fairness, have time to respond. I would expect,
21 however, that we could get it done within a week of
22 the last day of the hearing, so that would be several

1 weeks in advance or a couple weeks in advance of the
2 brief -- 10 days in advance of the brief.

3 JUDGE SAINSOT: So that would be March 20th,
4 according to my math?

5 MR. RIPPPIE: That would be satisfactory for us.
6 We'll make whatever resources are necessary available
7 to accomplish that.

8 JUDGE SAINSOT: Okay. Great. Thank you.
9 Okay.

10 Anything else?

11 (No response.)

12 Okay. Have a good day everybody.

13 Thank you.

14 (Whereupon, the hearing in the
15 above-entitled matter was continued
16 until March 7, 2012 at 10:30 a.m.)

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